

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

In the Matter of

Civil Citation No. 62341

Nnenna Udo

1306 Dartmouth Avenue

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on July 22, 2009, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 13-4-201, failure to properly store trash in cans with tight fitting lids on residential property zoned DR 10.5 known as 1306 Dartmouth Avenue, 21234.

On June 29, 2009, pursuant to § 3-6-205, Baltimore County Code, Inspector Christina Frink issued a Code Enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$400.00 (four hundred dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on June 5, 2009 for storage of garbage in containers with tight-fitting lids. This Citation was issued on June 29, 2009. This investment property has been the subject of multiple code enforcement proceedings for similar violations since at least 2007.

B. Photographs in the file show cans overflowing with bagged garbage, bags of garbage on the ground, and trash and garbage strewn on the yard and alley. Photographs taken on July 21, 2009 also show broken furniture mixed with the garbage strewn on the ground. This constitutes a continued violation of requirements for proper storage of garbage, and violates County Code prohibitions against conditions that are conducive to rat harborage and rat infestation.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$400.00 (four hundred dollars).

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 28th day of July 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer